

February 25, 2009



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14772
(SECOND REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of specified Type B and/or fissile quantities of radioactive materials in designated U.S. Nuclear Regulatory Commission (NRC) authorized packages, after October 1, 2008, in order to allow the grantee a transition period to performance oriented package use. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED:
 - a. 49 CFR § 173.416 insofar as the packages and radioactive contents specifically authorized by the U.S. NRC pursuant to 10 CFR 71 are permitted for shipments exceeding a Type A quantity of radioactive material, on or after October 1, 2008.

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- b. 49 CFR § 173.417 insofar as the packages and radioactive contents specifically authorized by the U.S. NRC pursuant to 10 CFR 71 are permitted for fissile materials shipments, on or after October 1, 2008.
5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's (PHMSA) editorial review under § 107.121 initiated on December 4, 2008.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Radioactive material, transported under special arrangement, <i>non fissile or fissile-excepted</i>	7	UN2919	N/A
Radioactive material, transported under special arrangement, fissile	7	UN3331	N/A

7. SAFETY CONTROL MEASURES:

a. OPERATIONAL CONTROLS -

(i) This special permit is limited to the packagings, contents, consignments, transportation modes, and number of shipments specifically authorized by the U.S. NRC pursuant to 10 CFR 71.

(ii) All terms and conditions, including extra-regulatory compensatory safety measures, of the specific authorization provided by the U.S. NRC pursuant to 10 CFR 71, must be complied with.

(iii) The use, repair, and maintenance of the packages must be conducted in accordance with the Quality Assurance Program noted in the specific authorization by the U.S. NRC pursuant to 10 CFR 71.

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(iv) As replacement packages become available that are permitted for use in accordance with 49 CFR §§ 173.416 and/or 173.417, as applicable, must be used to the extent practical in lieu of those authorized by this special permit.

b. COMMUNICATIONS -

(i) Each shipping paper issued in connection with a shipment made under this special permit must bear the notation "DOT-SP 14772" and be located so that the notation is clearly associated with the description to which the special permit applies.

(ii) The outside of each package used under the terms of this special permit must be plainly and durably marked "DOT-SP 14772".

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. A quarterly update of package transition activities (actual vs. scheduled milestones for design, testing, application, certification, production, and completion) must be provided by the grantee(s) to the Office of Hazardous Materials Special Permits and Approvals by January 1, April 1, July, 1 and October 1 of each year this special permit is in effect.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS: Motor vehicle transport must be consigned as exclusive use. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

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11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous

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materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Theodore L. Willke

Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: WILLIAMSJ/dl